

### **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

1. (Original) A pinion nail verification assembly for use in a nail loading assembly coupled with a nail driving assembly of a nail gun, comprising:  
an axle coupled with the nail loading assembly, the axle for providing an axis of rotation;  
a pinion coupled with the axle, the pinion for engaging a nail advancing down the nail loading assembly,  
wherein the pinion assembly allows the nail to advance to the nail driving assembly when the nail is correctly positioned parallel with the axis of rotation of the axle.
2. (Original) The pinion nail verification assembly of claim 1, further comprising a lock assembly coupled with the pinion, the lock assembly for locking the position of the pinion.

Claims 3 through 7 (Canceled)

8. (Original) The pinion nail verification assembly of claim 1, wherein the nail gun is selected from the group consisting of a spring-loaded nail gun, a pneumatic nail gun, an electro-magnetic nail gun, a combustion nail gun, and a motor driven nail gun.
9. (Original) The pinion nail verification assembly of claim 1, wherein the nail gun further comprises a clutch assembly.

Claims 10 through 40 (Canceled)

41. (New) A pinion nail verification assembly for use in a nail loading assembly coupled with a nail driving assembly of a nail gun, comprising:

an axle coupled with the nail loading assembly, the axle for providing an axis of rotation and the nail loading assembly being an adjustable angle magazine; and

a pinion coupled with the axle, the pinion for engaging a nail advancing down the nail loading assembly,

wherein the pinion assembly allows the nail to advance to the nail driving assembly when the nail is correctly positioned parallel with the axis of rotation of the axle.

42. (New) The pinion nail verification assembly of claim 41, further comprising a lock assembly coupled with the pinion, the lock assembly for locking the position of the pinion.

43. (New) A pinion nail verification assembly of claim 41, wherein the pinion is coupled with a first and second mounting members pivotally coupled with the adjustable angle magazine.

44. (New) The pinion nail verification assembly of claim 41, wherein the adjustable angle magazine further comprises a pick-off pivot assembly.

45. (New) The pinion nail verification assembly of 41, wherein the adjustable angle magazine further comprises an articulating pusher assembly.

46. (New) The pinion nail verification assembly of claim 41, wherein the adjustable angle magazine further comprises a nail shank pawl assembly.

47. (New) The pinion nail verification assembly of claim 41, wherein the nail gun is selected from the group consisting of a spring-loaded nail gun, a pneumatic nail gun, an electro-

magnetic nail gun, a combustion nail gun, and a motor driven nail gun.

48. (New) The pinion nail verification assembly of claim 41, wherein the nail gun further comprises a clutch assembly.